

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE:

STEVEN GRIFFITH,	:	Case No. 19-10191-TPA
<i>Debtor</i>	:	Chapter 13
	:	
RONDA J. WINNECOUR,	:	Related to Document No. 76
CHAPTER 13 TRUSTEE,	:	
<i>Movant,</i>	:	
	:	
v.	:	
	:	
STEVEN GRIFFITH,	:	
<i>Respondent.</i>	:	

ORDER

On June 23, 2021, a hearing was held on the *Trustee's Expedited Motion for Status Conference* filed on June 15, 2021 (Doc. 76), which states the Debtor is repeatedly contacting the Chapter 13 Trustee's office as opposed to seeking guidance on his case from Counsel of record. The Trustee's Office also received a letter from Congressman Mike Kelly inquiring about the matter. As a result, the Court immediately scheduled an expedited hearing, with the Debtor directed to personally appear. Unfortunately, to the disappointment of the Court, the Debtor failed to appear at the June 23rd hearing. Counsel for the Debtor reported that he is not in contact with the Debtor, which has resulted in the Debtor's repeated contact with the Chapter 13 Trustee's office. The Court will not condone this behavior and further direct contact to the Trustee's Office without prior Court approval will result in dismissal of this case.

A Certificate of Default is also pending in this case, as a result of the Debtor's failure to make Plan payments. According to the Chapter 13 Trustee, the Debtor has failed to make monthly payments of \$1,380 for December 2020, and thereafter monthly payments of \$1,474 for February, March, May and June 2021. Due to the Debtor's failure to timely make all required Plan payments, his Chapter 13 Plan is in serious default and could be immediately dismissed if the Court so chose. Despite the Debtor's failures in this regard, the Court will allow the Debtor one more opportunity to eliminate the Plan payment deficiencies and will issue the within affidavit of default order directing the July 2021 payment be timely made or the case will be dismissed without further notice or hearing. Therefore,

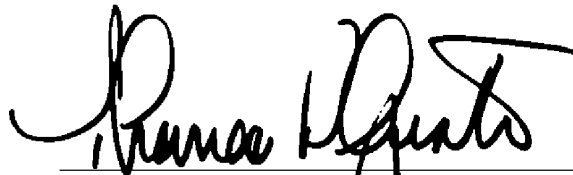
AND NOW, this 25th day of **June, 2021**, for the reasons stated above and at the June 23rd hearing, it is hereby **ORDERED, ADJUDGED and DECREED** that:

(1) **On or before July 1, 2021**, the Debtor shall make the July 2021 plan payment, in the amount of **\$1,474**, per the Plan Confirmation Order of February 14, 2020 (Doc. 69) to the Chapter 13 Trustee, and every first of the month thereafter until further Order of Court.

(2) The deadlines for responding to the Trustee's *Certificate of Default Requesting Dismissal of Case*, including filing an Amended Plan to cure the deficiencies, per the *Order* issued on June 8, 2021 (Doc. 74) remain in full force and effect.

(3) As noted in Paragraph 1, above, the Debtor shall timely make full plan payments to the Chapter 13 Trustee, on or before the date upon which the respective plan payment is due, *time being of the essence*, commencing with the month following the month in which this Order is entered. Approved wage attachment remittances shall be considered a "plan payment" for purposes of this Order. For the duration of this bankruptcy case, in the event that the Debtors

fail to make any subsequent plan payments to the Trustee or *fail to timely comply with any deadlines imposed in their bankruptcy*, the case will be dismissed, upon the filing of an Affidavit of Default by the Trustee without further hearing. Such Affidavit of Default shall contain a statement of the default as supported by the records of the Trustee.



Thomas P. Agresti, Judge **ljm**
United States Bankruptcy Court

Case administrator to serve:

Debtor
Wes Rowden, Esq.
Ronda Winnecour, Chapter 13 Trustee
Congressman Mike Kelly
245 Pittsburgh Rd, Suite 300
Butler, PA 16001

In re:
Steven Griffith
Debtor

Case No. 19-10191-TPA
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-1
Date Rcvd: Jun 25, 2021

User: bsil
Form ID: pdf900

Page 1 of 1
Total Noticed: 2

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jun 27, 2021:

Recip ID	Recipient Name and Address
db	+ Steven Griffith, 7824 Leech Road, Conneaut Lake, PA 16316-1304
	+ Congressman Mike Kelly, 245 Pittsburgh Rd, Suite 300, Butler, PA 16001-3883

TOTAL: 2

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BY PASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jun 27, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on June 25, 2021 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor Trinity Financial Services LLC bnicholas@kmlawgroup.com
John Wesley Rowden	on behalf of Debtor Steven Griffith jwrowden@yahoo.com elizdugan@yahoo.com;rowdenjr77560@notify.bestcase.com
Kurt L. Sundberg	on behalf of Creditor Marquette Savings Bank jrizzo@marshspaeder.com tsapper@marshlaw.com;r48049@notify.bestcase.com
Office of the United States Trustee	ustpreion03.pi.ecf@usdoj.gov
Ronda J. Winnecour	cmecf@chapter13trusteedpa.com

TOTAL: 5